

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:)	
)	
CITY OF DETROIT, MICHIGAN)	Case No. 13-53846
)	
Debtor)	Chapter 9
)	
)	Hon. Steven W. Rhodes
)	

**EX PARTE MOTION OF THE MACOMB INTERCEPTOR DRAIN
DRAINAGE DISTRICT FOR AN ORDER AUTHORIZING IT
TO FILE A BRIEF IN EXCESS OF PAGE LIMIT**

The Macomb Interceptor Drain Drainage District (the “MIDDD”), a creditor and party in interest in the above-captioned Chapter 9 bankruptcy case, hereby moves the Court for the entry of an order authorizing MIDDD to file the *Macomb Interceptor Drain Drainage District’s Brief in Support of Temporary Allowance of Claim Pursuant to Rule 3018(a) of the Federal Rules of Bankruptcy Procedure for Purposes of Accepting or Rejecting the Debtor’s Fourth Amended Plan of Adjustment* (the “Brief”)¹ in excess of the page limitations of Rule 9014-1(e) of the Local Rules for the United States Bankruptcy Court for the Eastern District of Michigan (the “Local Rules”), to the extent any limitation applies. In support of this motion, the MIDDD states as follows:

1. On May 30, 2014, MIDDD filed the *Motion for Temporary Allowance of Claim of the Macomb Interceptor Drain Drainage District Pursuant to Rule 3018(a) of the Federal Rules of Bankruptcy Procedure for Purposes of Accepting or Rejecting the Debtor’s Fourth Amended Plan of Adjustment* [Docket No. 5155] (the “3018 Motion”).

¹ Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Brief.

2. On June 13, 2014, the City and the Official Committee of Retirees (the “Retiree Committee”) filed objections to the 3018 Motion. The objection filed by the City is at Docket No. 5312, and the objection filed by the Retiree Committee is at Docket No. 5315.

3. At a hearing on June 25, 2014, the Court set a briefing schedule and hearing on the 3018 Motion.

4. Although MIDDD has made a concerted effort to keep the Brief succinct, MIDDD requires 33 pages to fully address the legal standards and evidence supporting temporary allowance of its claim. Because both the City and the Retiree Committee may file briefs in support of their objections to the 3018 Motion, MIDDD also must address the potential arguments regarding the amount and validity of its claim that could be raised in two separate briefs. MIDDD requires an excess of twenty pages with which to fully address these arguments and support the 3018 Motion. Furthermore, if MIDDD is not permitted to file the Brief in excess of twenty pages, it will be at an unfair disadvantage as compared to the City and the Retiree Committee, who collectively have forty pages with which to advance their objections to the 3018 Motion.

5. At 33 pages, the Brief exceeds the page limitations provided in the Local Rules. See Local Rule 9014-1(e) (providing a twenty-page limitation for briefs).

6. To the extent this Local Rule applies to the Brief, MIDDD requests entry of an order expanding the applicable page limitation.

WHEREFORE, MIDDD respectfully requests that this Court (i) enter an order substantially in the form attached hereto as Exhibit 1, granting the relief sought herein; and (ii) grant such other and further relief to MIDDD as the Court may deem proper.

Dated: July 14, 2014

Respectfully submitted,

DECHERT LLP

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EXHIBIT 1

Proposed Form of Order

**UNITED STATES BANKRUPTCY COURT
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)	
CITY OF DETROIT, MICHIGAN)	Case No. 13-53846
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**EX PARTE ORDER AUTHORIZING THE MACOMB INTERCEPTOR DRAIN
DRAINAGE DISTRICT TO FILE A BRIEF IN EXCESS OF PAGE LIMIT**

This matter coming before the Court on the *Ex Parte Motion of the Macomb Interceptor Drain Drainage District to File a Brief in Excess of Page Limit* (the “Motion”)¹ and the Court being fully advised in the premises;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED.
2. MIDDD may file the *Macomb Interceptor Drain Drainage District’s Brief in Support of Temporary Allowance of Claim Pursuant to Rule 3018(a) of the Federal Rules of Bankruptcy Procedure for Purposes of Accepting or Rejecting the Debtor’s Fourth Amended Plan of Adjustment* in excess of the applicable page limitation.

Dated: _____, 2014
Detroit, Michigan

THE HONORABLE STEVEN RHODES
UNITED STATES BANKRUPTCY JUDGE

¹ Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Motion.